



Docket No.: 243010US2

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/666,244
Applicants: Hisao KUROSU
Filing Date: September 22, 2003
For: IMAGE FORMING APPARATUS AND
DEVELOPING DEVICE THEREFOR
Group Art Unit: 2852
Examiner: BEATTY, R. B.

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION REQUIREMENT

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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DOCKET NO: 243010US2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
HISAO KUROSU : EXAMINER: BEATTY, R. B.
SERIAL NO: 10/666,244 :
FILED: SEPTEMBER 22, 2003 : GROUP ART UNIT: 2852
FOR: IMAGE FORMING APPARATUS :
AND DEVELOPING DEVICE THEREFOR :

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement dated June 6, 2005, the Applicant elects with traverse the invention of Group I corresponding to Claims 1-39 as readable on the elected invention.

The Applicants respectfully traverse the restriction requirement based on MPEP § 803, which states:

... If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

The claims of the present invention would appear to be part of an overlapping search area. Accordingly, the Applicants respectfully traverse the outstanding restriction requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

Therefore, it is respectfully requested that the requirement to elect a single invention be withdrawn, and that a full examination on the merits of Claims 1-75 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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